



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB2582

Introduced 02/18/05, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

720 ILCS 570/401
720 ILCS 570/402

from Ch. 56 1/2, par. 1401
from Ch. 56 1/2, par. 1402

Amends the Illinois Controlled Substances Act. Provides that the penalties for the illegal manufacture, delivery, possession with intent to manufacture or deliver, or possession of heroin may also be calculated on the amount of objects or segregated parts of objects containing heroin.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Controlled Substances Act is
5 amended by changing Sections 401 and 402 as follows:

6 (720 ILCS 570/401) (from Ch. 56 1/2, par. 1401)

7 Sec. 401. Except as authorized by this Act, it is unlawful
8 for any person knowingly to: (i) manufacture or deliver, or
9 possess with intent to manufacture or deliver, a controlled or
10 counterfeit substance or controlled substance analog or (ii)
11 possess any methamphetamine manufacturing chemical listed in
12 paragraph (z-1) of Section 102 with the intent to manufacture
13 methamphetamine or the salt of an optical isomer of
14 methamphetamine or an analog thereof. A violation of this Act
15 with respect to each of the controlled substances listed herein
16 constitutes a single and separate violation of this Act. For
17 purposes of this Section, "controlled substance analog" or
18 "analog" means a substance which is intended for human
19 consumption, other than a controlled substance, that has a
20 chemical structure substantially similar to that of a
21 controlled substance in Schedule I or II, or that was
22 specifically designed to produce an effect substantially
23 similar to that of a controlled substance in Schedule I or II.
24 Examples of chemical classes in which controlled substance
25 analogs are found include, but are not limited to, the
26 following: phenethylamines, N-substituted piperidines,
27 morphinans, ecgonines, quinazolinones, substituted indoles,
28 and arylcycloalkylamines. For purposes of this Act, a
29 controlled substance analog shall be treated in the same manner
30 as the controlled substance to which it is substantially
31 similar.

32 (a) Any person who violates this Section with respect to

1 the following amounts of controlled or counterfeit substances
2 or controlled substance analogs, notwithstanding any of the
3 provisions of subsections (c), (c-5), (d), (d-5), (e), (f), (g)
4 or (h) to the contrary, is guilty of a Class X felony and shall
5 be sentenced to a term of imprisonment as provided in this
6 subsection (a) and fined as provided in subsection (b):

7 (1) (A) not less than 6 years and not more than 30
8 years with respect to: (i) 15 grams or more but less
9 than 100 grams of a substance containing heroin, or an
10 analog thereof, or (ii) 15 or more objects or 15 or
11 more segregated parts of an object or objects but less
12 than 200 objects or 200 segregated parts of an object
13 or objects containing in them or having upon them any
14 amounts of any substance containing heroin, or an
15 analog thereof;

16 (B) not less than 9 years and not more than 40
17 years with respect to: (i) 100 grams or more but less
18 than 400 grams of a substance containing heroin, or an
19 analog thereof, or (ii) 200 or more objects or 200 or
20 more segregated parts of an object or objects but less
21 than 600 objects or less than 600 segregated parts of
22 an object or objects containing in them or having upon
23 them any amount of any substance containing heroin, or
24 an analog thereof;

25 (C) not less than 12 years and not more than 50
26 years with respect to: (i) 400 grams or more but less
27 than 900 grams of a substance containing heroin, or an
28 analog thereof, or (ii) 600 or more objects or 600 or
29 more segregated parts of an object or objects but less
30 than 1500 objects or 1500 segregated parts of an object
31 or objects containing in them or having upon them any
32 amount of any substance containing heroin, or an analog
33 thereof;

34 (D) not less than 15 years and not more than 60
35 years with respect to: (i) 900 grams or more of any
36 substance containing heroin, or an analog thereof, or

1 (ii) 1500 or more objects or 1500 or more segregated
2 parts of an object or objects containing in them or
3 having upon them any amount of a substance containing
4 heroin, or an analog thereof;

5 (2) (A) not less than 6 years and not more than 30
6 years with respect to 15 grams or more but less than
7 100 grams of a substance containing cocaine, or an
8 analog thereof;

9 (B) not less than 9 years and not more than 40
10 years with respect to 100 grams or more but less than
11 400 grams of a substance containing cocaine, or an
12 analog thereof;

13 (C) not less than 12 years and not more than 50
14 years with respect to 400 grams or more but less than
15 900 grams of a substance containing cocaine, or an
16 analog thereof;

17 (D) not less than 15 years and not more than 60
18 years with respect to 900 grams or more of any
19 substance containing cocaine, or an analog thereof;

20 (3) (A) not less than 6 years and not more than 30
21 years with respect to 15 grams or more but less than
22 100 grams of a substance containing morphine, or an
23 analog thereof;

24 (B) not less than 9 years and not more than 40
25 years with respect to 100 grams or more but less than
26 400 grams of a substance containing morphine, or an
27 analog thereof;

28 (C) not less than 12 years and not more than 50
29 years with respect to 400 grams or more but less than
30 900 grams of a substance containing morphine, or an
31 analog thereof;

32 (D) not less than 15 years and not more than 60
33 years with respect to 900 grams or more of a substance
34 containing morphine, or an analog thereof;

35 (4) 200 grams or more of any substance containing
36 peyote, or an analog thereof;

1 (5) 200 grams or more of any substance containing a
2 derivative of barbituric acid or any of the salts of a
3 derivative of barbituric acid, or an analog thereof;

4 (6) 200 grams or more of any substance containing
5 amphetamine or any salt of an optical isomer of
6 amphetamine, or an analog thereof;

7 (6.5) (A) not less than 6 years and not more than 30
8 years with respect to 15 grams or more but less than
9 100 grams of a substance containing methamphetamine or
10 any salt of an optical isomer of methamphetamine, or an
11 analog thereof;

12 (B) not less than 9 years and not more than 40
13 years with respect to 100 grams or more but less than
14 400 grams of a substance containing methamphetamine or
15 any salt of an optical isomer of methamphetamine, or an
16 analog thereof;

17 (C) not less than 12 years and not more than 50
18 years with respect to 400 grams or more but less than
19 900 grams of a substance containing methamphetamine or
20 any salt of an optical isomer of methamphetamine, or an
21 analog thereof;

22 (D) not less than 15 years and not more than 60
23 years with respect to 900 grams or more of any
24 substance containing methamphetamine or any salt of an
25 optical isomer of methamphetamine, or an analog
26 thereof.

27 (6.6) (A) not less than 6 years and not more than 30
28 years for the possession of any methamphetamine
29 manufacturing chemical set forth in paragraph (z-1) of
30 Section 102 with intent to manufacture 30 grams or more
31 but less than 150 grams of any substance containing
32 methamphetamine, or salt of any optical isomer of
33 methamphetamine, or an analog thereof;

34 (B) not less than 6 years and not more than 40
35 years for the possession of any methamphetamine
36 manufacturing chemical set forth in paragraph (z-1) of

1 Section 102 with intent to manufacture 150 grams or
2 more but less than 500 grams of any substance
3 containing methamphetamine, or salt of an optical
4 isomer of methamphetamine, or an analog thereof;

5 (C) not less than 6 years and not more than 50
6 years for the possession of any methamphetamine
7 manufacturing chemical set forth in paragraph (z-1) of
8 Section 102 with intent to manufacture 500 grams or
9 more but less than 1200 grams of any substance
10 containing methamphetamine, or salt of an optical
11 isomer of methamphetamine, or an analog thereof;

12 (D) not less than 6 years and not more than 60
13 years for the possession of any methamphetamine
14 manufacturing chemical set forth in paragraph (z-1) of
15 Section 102 with intent to manufacture 1200 grams or
16 more of any substance containing methamphetamine, or
17 salt of an optical isomer of methamphetamine, or an
18 analog thereof;

19 (7) (A) not less than 6 years and not more than 30
20 years with respect to: (i) 15 grams or more but less
21 than 100 grams of a substance containing lysergic acid
22 diethylamide (LSD), or an analog thereof, or (ii) 15 or
23 more objects or 15 or more segregated parts of an
24 object or objects but less than 200 objects or 200
25 segregated parts of an object or objects containing in
26 them or having upon them any amounts of any substance
27 containing lysergic acid diethylamide (LSD), or an
28 analog thereof;

29 (B) not less than 9 years and not more than 40
30 years with respect to: (i) 100 grams or more but less
31 than 400 grams of a substance containing lysergic acid
32 diethylamide (LSD), or an analog thereof, or (ii) 200
33 or more objects or 200 or more segregated parts of an
34 object or objects but less than 600 objects or less
35 than 600 segregated parts of an object or objects
36 containing in them or having upon them any amount of

1 any substance containing lysergic acid diethylamide
2 (LSD), or an analog thereof;

3 (C) not less than 12 years and not more than 50
4 years with respect to: (i) 400 grams or more but less
5 than 900 grams of a substance containing lysergic acid
6 diethylamide (LSD), or an analog thereof, or (ii) 600
7 or more objects or 600 or more segregated parts of an
8 object or objects but less than 1500 objects or 1500
9 segregated parts of an object or objects containing in
10 them or having upon them any amount of any substance
11 containing lysergic acid diethylamide (LSD), or an
12 analog thereof;

13 (D) not less than 15 years and not more than 60
14 years with respect to: (i) 900 grams or more of any
15 substance containing lysergic acid diethylamide (LSD),
16 or an analog thereof, or (ii) 1500 or more objects or
17 1500 or more segregated parts of an object or objects
18 containing in them or having upon them any amount of a
19 substance containing lysergic acid diethylamide (LSD),
20 or an analog thereof;

21 (7.5) (A) not less than 6 years and not more than 30
22 years with respect to: (i) 15 grams or more but less
23 than 100 grams of a substance listed in paragraph (1),
24 (2), (2.1), (3), (14.1), (19), (20), (20.1), (21),
25 (25), or (26) of subsection (d) of Section 204, or an
26 analog or derivative thereof, or (ii) 15 or more pills,
27 tablets, caplets, capsules, or objects but less than
28 200 pills, tablets, caplets, capsules, or objects
29 containing in them or having upon them any amounts of
30 any substance listed in paragraph (1), (2), (2.1), (3),
31 (14.1), (19), (20), (20.1), (21), (25), or (26) of
32 subsection (d) of Section 204, or an analog or
33 derivative thereof;

34 (B) not less than 9 years and not more than 40
35 years with respect to: (i) 100 grams or more but less
36 than 400 grams of a substance listed in paragraph (1),

1 (2), (2.1), (3), (14.1), (19), (20), (20.1), (21),
2 (25), or (26) of subsection (d) of Section 204, or an
3 analog or derivative thereof, or (ii) 200 or more
4 pills, tablets, caplets, capsules, or objects but less
5 than 600 pills, tablets, caplets, capsules, or objects
6 containing in them or having upon them any amount of
7 any substance listed in paragraph (1), (2), (2.1), (3),
8 (14.1), (19), (20), (20.1), (21), (25), or (26) of
9 subsection (d) of Section 204, or an analog or
10 derivative thereof;

11 (C) not less than 12 years and not more than 50
12 years with respect to: (i) 400 grams or more but less
13 than 900 grams of a substance listed in paragraph (1),
14 (2), (2.1), (3), (14.1), (19), (20), (20.1), (21),
15 (25), or (26) of subsection (d) of Section 204, or an
16 analog or derivative thereof, or (ii) 600 or more
17 pills, tablets, caplets, capsules, or objects but less
18 than 1,500 pills, tablets, caplets, capsules, or
19 objects containing in them or having upon them any
20 amount of any substance listed in paragraph (1), (2),
21 (2.1), (3), (14.1), (19), (20), (20.1), (21), (25), or
22 (26) of subsection (d) of Section 204, or an analog or
23 derivative thereof;

24 (D) not less than 15 years and not more than 60
25 years with respect to: (i) 900 grams or more of any
26 substance listed in paragraph (1), (2), (2.1), (3),
27 (14.1), (19), (20), (20.1), (21), (25), or (26) of
28 subsection (d) of Section 204, or an analog or
29 derivative thereof, or (ii) 1,500 or more pills,
30 tablets, caplets, capsules, or objects containing in
31 them or having upon them any amount of a substance
32 listed in paragraph (1), (2), (2.1), (3), (14.1), (19),
33 (20), (20.1), (21), (25), or (26) of subsection (d) of
34 Section 204, or an analog or derivative thereof;

35 (8) 30 grams or more of any substance containing
36 pentazocine or any of the salts, isomers and salts of

1 isomers of pentazocine, or an analog thereof;

2 (9) 30 grams or more of any substance containing
3 methaqualone or any of the salts, isomers and salts of
4 isomers of methaqualone, or an analog thereof;

5 (10) 30 grams or more of any substance containing
6 phencyclidine or any of the salts, isomers and salts of
7 isomers of phencyclidine (PCP), or an analog thereof;

8 (10.5) 30 grams or more of any substance containing
9 ketamine or any of the salts, isomers and salts of isomers
10 of ketamine, or an analog thereof;

11 (11) 200 grams or more of any substance containing any
12 other controlled substance classified in Schedules I or II,
13 or an analog thereof, which is not otherwise included in
14 this subsection.

15 (b) Any person sentenced with respect to violations of
16 paragraph (1), (2), (3), (6.5), (6.6), (7), or (7.5) of
17 subsection (a) involving 100 grams or more of the controlled
18 substance named therein, may in addition to the penalties
19 provided therein, be fined an amount not more than \$500,000 or
20 the full street value of the controlled or counterfeit
21 substance or controlled substance analog, whichever is
22 greater. The term "street value" shall have the meaning
23 ascribed in Section 110-5 of the Code of Criminal Procedure of
24 1963. Any person sentenced with respect to any other provision
25 of subsection (a), may in addition to the penalties provided
26 therein, be fined an amount not to exceed \$500,000.

27 (c) Any person who violates this Section with regard to the
28 following amounts of controlled or counterfeit substances or
29 controlled substance analogs, notwithstanding any of the
30 provisions of subsections (a), (b), (d), (e), (f), (g) or (h)
31 to the contrary, is guilty of a Class 1 felony. The fine for
32 violation of this subsection (c) shall not be more than
33 \$250,000:

34 (1) (i) 1 gram or more but less than 15 grams of any
35 substance containing heroin, or an analog thereof, or (ii)
36 more than 10 objects or more than 10 segregated parts of an

1 object or objects but less than 15 objects or less than 15
2 segregated parts of an object containing in them or having
3 upon them any amount of any substance containing heroin, or
4 an analog thereof;

5 (2) 1 gram or more but less than 15 grams of any
6 substance containing cocaine, or an analog thereof;

7 (3) 10 grams or more but less than 15 grams of any
8 substance containing morphine, or an analog thereof;

9 (4) 50 grams or more but less than 200 grams of any
10 substance containing peyote, or an analog thereof;

11 (5) 50 grams or more but less than 200 grams of any
12 substance containing a derivative of barbituric acid or any
13 of the salts of a derivative of barbituric acid, or an
14 analog thereof;

15 (6) 50 grams or more but less than 200 grams of any
16 substance containing amphetamine or any salt of an optical
17 isomer of amphetamine, or an analog thereof;

18 (6.5) 5 grams or more but less than 15 grams of any
19 substance containing methamphetamine or any salt or
20 optical isomer of methamphetamine, or an analog thereof;

21 (7) (i) 5 grams or more but less than 15 grams of any
22 substance containing lysergic acid diethylamide (LSD), or
23 an analog thereof, or (ii) more than 10 objects or more
24 than 10 segregated parts of an object or objects but less
25 than 15 objects or less than 15 segregated parts of an
26 object containing in them or having upon them any amount of
27 any substance containing lysergic acid diethylamide (LSD),
28 or an analog thereof;

29 (7.5) (i) 5 grams or more but less than 15 grams of any
30 substance listed in paragraph (1), (2), (2.1), (3), (14.1),
31 (19), (20), (20.1), (21), (25), or (26) of subsection (d)
32 of Section 204, or an analog or derivative thereof, or (ii)
33 more than 10 pills, tablets, caplets, capsules, or objects
34 but less than 15 pills, tablets, caplets, capsules, or
35 objects containing in them or having upon them any amount
36 of any substance listed in paragraph (1), (2), (2.1), (3),

1 (14.1), (19), (20), (20.1), (21), (25), or (26) of
2 subsection (d) of Section 204, or an analog or derivative
3 thereof;

4 (8) 10 grams or more but less than 30 grams of any
5 substance containing pentazocine or any of the salts,
6 isomers and salts of isomers of pentazocine, or an analog
7 thereof;

8 (9) 10 grams or more but less than 30 grams of any
9 substance containing methaqualone or any of the salts,
10 isomers and salts of isomers of methaqualone, or an analog
11 thereof;

12 (10) 10 grams or more but less than 30 grams of any
13 substance containing phencyclidine or any of the salts,
14 isomers and salts of isomers of phencyclidine (PCP), or an
15 analog thereof;

16 (10.5) 10 grams or more but less than 30 grams of any
17 substance containing ketamine or any of the salts, isomers
18 and salts of isomers of ketamine, or an analog thereof;

19 (11) 50 grams or more but less than 200 grams of any
20 substance containing a substance classified in Schedules I
21 or II, or an analog thereof, which is not otherwise
22 included in this subsection.

23 (c-5) Any person who violates this Section with regard to
24 possession of any methamphetamine manufacturing chemical set
25 forth in paragraph (z-1) of Section 102 with intent to
26 manufacture 15 grams or more but less than 30 grams of
27 methamphetamine, or salt of an optical isomer of
28 methamphetamine or any analog thereof, is guilty of a Class 1
29 felony. The fine for violation of this subsection (c-5) shall
30 not be more than \$250,000.

31 (d) Any person who violates this Section with regard to any
32 other amount of a controlled or counterfeit substance
33 classified in Schedules I or II, or an analog thereof, which is
34 (i) a narcotic drug, (ii) lysergic acid diethylamide (LSD) or
35 an analog thereof, or (iii) any substance containing
36 amphetamine or methamphetamine or any salt or optical isomer of

1 amphetamine or methamphetamine, or an analog thereof, is guilty
2 of a Class 2 felony. The fine for violation of this subsection
3 (d) shall not be more than \$200,000.

4 (d-5) Any person who violates this Section with regard to
5 possession of any methamphetamine manufacturing chemical set
6 forth in paragraph (z-1) of Section 102 with intent to
7 manufacture less than 15 grams of methamphetamine, or salt of
8 an optical isomer of methamphetamine or any analog thereof, is
9 guilty of a Class 2 felony. The fine for violation of this
10 subsection (d-5) shall not be more than \$200,000.

11 (e) Any person who violates this Section with regard to any
12 other amount of a controlled or counterfeit substance
13 classified in Schedule I or II, or an analog thereof, which
14 substance is not included under subsection (d) of this Section,
15 is guilty of a Class 3 felony. The fine for violation of this
16 subsection (e) shall not be more than \$150,000.

17 (f) Any person who violates this Section with regard to any
18 other amount of a controlled or counterfeit substance
19 classified in Schedule III is guilty of a Class 3 felony. The
20 fine for violation of this subsection (f) shall not be more
21 than \$125,000.

22 (g) Any person who violates this Section with regard to any
23 other amount of a controlled or counterfeit substance
24 classified in Schedule IV is guilty of a Class 3 felony. The
25 fine for violation of this subsection (g) shall not be more
26 than \$100,000.

27 (h) Any person who violates this Section with regard to any
28 other amount of a controlled or counterfeit substance
29 classified in Schedule V is guilty of a Class 3 felony. The
30 fine for violation of this subsection (h) shall not be more
31 than \$75,000.

32 (i) This Section does not apply to the manufacture,
33 possession or distribution of a substance in conformance with
34 the provisions of an approved new drug application or an
35 exemption for investigational use within the meaning of Section
36 505 of the Federal Food, Drug and Cosmetic Act.

1 (j) The presence of any methamphetamine manufacturing
2 chemical in a sealed, factory imprinted container, including,
3 but not limited to a bottle, box, or plastic blister package,
4 at the time of seizure by law enforcement, is prima facie
5 evidence that the methamphetamine manufacturing chemical
6 located within the container is in fact the chemical so
7 described and in the amount and dosage listed on the container.
8 The factory imprinted container is admissible for a violation
9 of this Section for purposes of proving the contents of the
10 container.

11 (Source: P.A. 92-16, eff. 6-28-01; 92-256, eff. 1-1-02; 92-698,
12 eff. 7-19-02; 93-278, eff. 1-1-04.)

13 (720 ILCS 570/402) (from Ch. 56 1/2, par. 1402)

14 Sec. 402. Except as otherwise authorized by this Act, it is
15 unlawful for any person knowingly to possess a controlled or
16 counterfeit substance. A violation of this Act with respect to
17 each of the controlled substances listed herein constitutes a
18 single and separate violation of this Act.

19 (a) Any person who violates this Section with respect to
20 the following controlled or counterfeit substances and
21 amounts, notwithstanding any of the provisions of subsections
22 (c) and (d) to the contrary, is guilty of a Class 1 felony and
23 shall, if sentenced to a term of imprisonment, be sentenced as
24 provided in this subsection (a) and fined as provided in
25 subsection (b):

26 (1) (A) not less than 4 years and not more than 15
27 years with respect to: (i) 15 grams or more but less
28 than 100 grams of a substance containing heroin, or
29 (ii) 15 or more objects or 15 or more segregated parts
30 of an object or objects but less than 200 objects or
31 200 segregated parts of an object or objects containing
32 in them or having upon them any amount of any substance
33 containing heroin, or an analog thereof;

34 (B) not less than 6 years and not more than 30
35 years with respect to: (i) 100 grams or more but less

1 than 400 grams of a substance containing heroin, or
2 (ii) 200 or more objects or 200 or more segregated
3 parts of an object or objects but less than 600 objects
4 or less than 600 segregated parts of an object or
5 objects containing in them or having upon them any
6 amount of any substance containing heroin, or an analog
7 thereof;

8 (C) not less than 8 years and not more than 40
9 years with respect to: (i) 400 grams or more but less
10 than 900 grams of any substance containing heroin, or
11 (ii) 600 or more objects or 600 or more segregated
12 parts of an object or objects but less than 1500
13 objects or 1500 segregated parts of an object or
14 objects containing in them or having upon them any
15 amount of any substance containing heroin, or an analog
16 thereof;

17 (D) not less than 10 years and not more than 50
18 years with respect to: (i) 900 grams or more of any
19 substance containing heroin, or (ii) 1500 or more
20 objects or 1500 or more segregated parts of an object
21 or objects containing in them or having upon them any
22 amount of a substance containing heroin, or an analog
23 thereof;

24 (2) (A) not less than 4 years and not more than 15
25 years with respect to 15 grams or more but less than
26 100 grams of any substance containing cocaine;

27 (B) not less than 6 years and not more than 30
28 years with respect to 100 grams or more but less than
29 400 grams of any substance containing cocaine;

30 (C) not less than 8 years and not more than 40
31 years with respect to 400 grams or more but less than
32 900 grams of any substance containing cocaine;

33 (D) not less than 10 years and not more than 50
34 years with respect to 900 grams or more of any
35 substance containing cocaine;

1 (3) (A) not less than 4 years and not more than 15
2 years with respect to 15 grams or more but less than
3 100 grams of any substance containing morphine;

4 (B) not less than 6 years and not more than 30
5 years with respect to 100 grams or more but less than
6 400 grams of any substance containing morphine;

7 (C) not less than 6 years and not more than 40
8 years with respect to 400 grams or more but less than
9 900 grams of any substance containing morphine;

10 (D) not less than 10 years and not more than 50
11 years with respect to 900 grams or more of any
12 substance containing morphine;

13 (4) 200 grams or more of any substance containing
14 peyote;

15 (5) 200 grams or more of any substance containing a
16 derivative of barbituric acid or any of the salts of a
17 derivative of barbituric acid;

18 (6) 200 grams or more of any substance containing
19 amphetamine or any salt of an optical isomer of
20 amphetamine;

21 (6.5) (A) not less than 4 years and not more than 15
22 years with respect to 15 grams or more but less than
23 100 grams of a substance containing methamphetamine or
24 any salt of an optical isomer of methamphetamine;

25 (B) not less than 6 years and not more than 30
26 years with respect to 100 grams or more but less than
27 400 grams of a substance containing methamphetamine or
28 any salt of an optical isomer of methamphetamine;

29 (C) not less than 8 years and not more than 40
30 years with respect to 400 grams or more but less than
31 900 grams of a substance containing methamphetamine or
32 any salt of an optical isomer of methamphetamine;

33 (D) not less than 10 years and not more than 50
34 years with respect to 900 grams or more of any
35 substance containing methamphetamine or any salt of an

1 optical isomer of methamphetamine;

2 (7) (A) not less than 4 years and not more than 15
3 years with respect to: (i) 15 grams or more but less
4 than 100 grams of any substance containing lysergic
5 acid diethylamide (LSD), or an analog thereof, or (ii)
6 15 or more objects or 15 or more segregated parts of an
7 object or objects but less than 200 objects or 200
8 segregated parts of an object or objects containing in
9 them or having upon them any amount of any substance
10 containing lysergic acid diethylamide (LSD), or an
11 analog thereof;

12 (B) not less than 6 years and not more than 30
13 years with respect to: (i) 100 grams or more but less
14 than 400 grams of any substance containing lysergic
15 acid diethylamide (LSD), or an analog thereof, or (ii)
16 200 or more objects or 200 or more segregated parts of
17 an object or objects but less than 600 objects or less
18 than 600 segregated parts of an object or objects
19 containing in them or having upon them any amount of
20 any substance containing lysergic acid diethylamide
21 (LSD), or an analog thereof;

22 (C) not less than 8 years and not more than 40
23 years with respect to: (i) 400 grams or more but less
24 than 900 grams of any substance containing lysergic
25 acid diethylamide (LSD), or an analog thereof, or (ii)
26 600 or more objects or 600 or more segregated parts of
27 an object or objects but less than 1500 objects or 1500
28 segregated parts of an object or objects containing in
29 them or having upon them any amount of any substance
30 containing lysergic acid diethylamide (LSD), or an
31 analog thereof;

32 (D) not less than 10 years and not more than 50
33 years with respect to: (i) 900 grams or more of any
34 substance containing lysergic acid diethylamide (LSD),
35 or an analog thereof, or (ii) 1500 or more objects or
36 1500 or more segregated parts of an object or objects

1 containing in them or having upon them any amount of a
2 substance containing lysergic acid diethylamide (LSD),
3 or an analog thereof;

4 (7.5) (A) not less than 4 years and not more than 15
5 years with respect to: (i) 15 grams or more but less
6 than 100 grams of any substance listed in paragraph
7 (1), (2), (2.1), (3), (14.1), (19), (20), (20.1), (21),
8 (25), or (26) of subsection (d) of Section 204, or an
9 analog or derivative thereof, or (ii) 15 or more pills,
10 tablets, caplets, capsules, or objects but less than
11 200 pills, tablets, caplets, capsules, or objects
12 containing in them or having upon them any amount of
13 any substance listed in paragraph (1), (2), (2.1), (3),
14 (14.1), (19), (20), (20.1), (21), (25), or (26) of
15 subsection (d) of Section 204, or an analog or
16 derivative thereof;

17 (B) not less than 6 years and not more than 30
18 years with respect to: (i) 100 grams or more but less
19 than 400 grams of any substance listed in paragraph
20 (1), (2), (2.1), (3), (14.1), (19), (20), (20.1), (21),
21 (25), or (26) of subsection (d) of Section 204, or an
22 analog or derivative thereof, or (ii) 200 or more
23 pills, tablets, caplets, capsules, or objects but less
24 than 600 pills, tablets, caplets, capsules, or objects
25 containing in them or having upon them any amount of
26 any substance listed in paragraph (1), (2), (2.1), (3),
27 (14.1), (19), (20), (20.1), (21), (25), or (26) of
28 subsection (d) of Section 204, or an analog or
29 derivative thereof;

30 (C) not less than 8 years and not more than 40
31 years with respect to: (i) 400 grams or more but less
32 than 900 grams of any substance listed in paragraph
33 (1), (2), (2.1), (3), (14.1), (19), (20), (20.1), (21),
34 (25), or (26) of subsection (d) of Section 204, or an
35 analog or derivative thereof, or (ii) 600 or more
36 pills, tablets, caplets, capsules, or objects but less

1 than 1,500 pills, tablets, caplets, capsules, or
2 objects containing in them or having upon them any
3 amount of any substance listed in paragraph (1), (2),
4 (2.1), (3), (14.1), (19), (20), (20.1), (21), (25), or
5 (26) of subsection (d) of Section 204, or an analog or
6 derivative thereof;

7 (D) not less than 10 years and not more than 50
8 years with respect to: (i) 900 grams or more of any
9 substance listed in paragraph (1), (2), (2.1), (3),
10 (14.1), (19), (20), (20.1), (21), (25), or (26) of
11 subsection (d) of Section 204, or an analog or
12 derivative thereof, or (ii) 1,500 or more pills,
13 tablets, caplets, capsules, or objects containing in
14 them or having upon them any amount of a substance
15 listed in paragraph (1), (2), (2.1), (3), (14.1), (19),
16 (20), (20.1), (21), (25), or (26) of subsection (d) of
17 Section 204, or an analog or derivative thereof;

18 (8) 30 grams or more of any substance containing
19 pentazocine or any of the salts, isomers and salts of
20 isomers of pentazocine, or an analog thereof;

21 (9) 30 grams or more of any substance containing
22 methaqualone or any of the salts, isomers and salts of
23 isomers of methaqualone;

24 (10) 30 grams or more of any substance containing
25 phencyclidine or any of the salts, isomers and salts of
26 isomers of phencyclidine (PCP);

27 (10.5) 30 grams or more of any substance containing
28 ketamine or any of the salts, isomers and salts of isomers
29 of ketamine;

30 (11) 200 grams or more of any substance containing any
31 substance classified as a narcotic drug in Schedules I or
32 II which is not otherwise included in this subsection.

33 (b) Any person sentenced with respect to violations of
34 paragraph (1), (2), (3), (6.5), (7), or (7.5) of subsection (a)
35 involving 100 grams or more of the controlled substance named
36 therein, may in addition to the penalties provided therein, be

1 fined an amount not to exceed \$200,000 or the full street value
2 of the controlled or counterfeit substances, whichever is
3 greater. The term "street value" shall have the meaning
4 ascribed in Section 110-5 of the Code of Criminal Procedure of
5 1963. Any person sentenced with respect to any other provision
6 of subsection (a), may in addition to the penalties provided
7 therein, be fined an amount not to exceed \$200,000.

8 (c) Any person who violates this Section with regard to an
9 amount of a controlled or counterfeit substance not set forth
10 in subsection (a) or (d) is guilty of a Class 4 felony. The
11 fine for a violation punishable under this subsection (c) shall
12 not be more than \$25,000.

13 (d) Any person who violates this Section with regard to any
14 amount of anabolic steroid is guilty of a Class C misdemeanor
15 for the first offense and a Class B misdemeanor for a
16 subsequent offense committed within 2 years of a prior
17 conviction.

18 (Source: P.A. 91-336, eff. 1-1-00; 91-357, eff. 7-29-99;
19 92-256, eff. 1-1-02.)